

Message Text

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45

ACTION SCI-06

INFO OCT-01 ARA-16 IO-13 ADP-00 ACDA-19 CIAE-00 INR-10

L-03 NSAE-00 NSC-10 RSC-01 SCEM-02 AEC-11 RSR-01

EUR-25 /118 W

----- 017352

R 061436Z AUG 73

FM USMISSION IAEA VIENNA

TO SECSTATE WASHDC 3186

INFO AMEMBASSY MEXICO

AMEMBASSY PANAMA

AMEMBASSY PORT AU PRINCE

LIMITED OFFICIAL USE IAEA VIENNA 6503

EO: 11652: N/A

TAGS: PARM, OPANAL, IAEA, PN, HA

SUBJ: NPT SAFEGUARDS: PANAMA AND HAITI

REF: MEXICO 5760

1. IAEA LEGAL DIVISION (STEIN) TALKED WITH GONZALEZ AT RECENT RIO DE JANEIRO SEMINAR AND THEREFORE AWARE OF PARA ONE REFTEL. HE HAD NOT RECEIVED ANY HINT OF PARA TWO (STEIN IS US NATIONAL WITH WHOM WE CAN TALK FRANKLY). STEIN GAVE GONZALEZ COPY OF IAEA-COSTA RICA SAFEGUARDS AGREEMENT AND GONZALEZ INDICATED AT THAT TIME THAT HE THOUGHT PANAMA AND HAITI AGREEMENTS COULD BE VIRTUALLY IDENTICAL AND WOULD TRY PERSUADE THOSE GOVERNMENTS TO AGREE. (SPANISH COPY OF COSTA RICA AGREEMENT SENT DEPT AND AMEMBASSY PANAMA UNDER OUR A-750 OF NOVEMBER 14, 1972.) STANDARD SAFEGUARDS AGREEMENTS SUCH AS COSTA RICAN COVER ALL PEACEFUL NUCLEAR ACTIVITIES WITHIN SIGNATORY'S "TERRITORY, UNDER ITS JURISDICTION OR CARRIED OUT UNDER ITS CONTROL ANYWHERE". AGENCY HAS SO FAR SUCCESSFULLY RESISTED ANY ATTEMPT BY ANY PARTY TO A SAFEGUARDS AGREEMENT TO INCLUDE IN AGREEMENT ITSELF ANY DEFINITION OR DELIMITATION OF WHAT "TERRITORY" AND JURISDICTION" MEAN IN ITS CASE. OF COURSE, ANY COUNTRY FREE TO MAKE PUBLIC ANY VIEW IT

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MAY HAVE AS TO HOW AGREEMENT SHOULD BE INTERPRETED.

2. IAEA WILL HAVE AN AGREEMENT NEGOTIATING TEAM AVAILABLE DURING IAEA GENERAL CONFERENCE TO BE HELD IN VIENNA SEPT 18-24 AND IS

EXPECTING GONZALEZ DE LEON, HOPEFULLY BEARING RESPONSE FROM PANAMA AND HAITI GOVERNMENTS.

3. FYI: PANAMA DOES HAVE AN EMBASSY IN VIENNA. HOWEVER, GONZALEZ, BEING FAMILIAR WITH SUBJECT, UNDOUBTEDLY BETTER QUALIFIED ACT AS MIDDLE MAN BETWEEN AGENCY AND PANAMANIAN GOVERNMENT. IT WHOULD ALSO BE NOTED THAT WHILE HAITI IS PARTY TO NPT, PANAMA IS SIGNATORY WHICH HAS NOT YET RATIFIED. THIS WOULD NOT RPT NOT PRECLUDE NEGOTIATION AND EVEN SIGNATURE OF SAFEGUARDS AGREEMENT CALLED FOR BY NPT, BUT LIKE OTHERS WHO HAVE FOLLOWED THAT PROCEDURE PANAMA WOULD PRESUMABLY NOT WISH HAVE AGREEMENT ENTER INTO FORCE UNTIL IT HAS RATIFIED TREATY.LABOWITZ

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